



[10191/3417]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Richard AUMAYER et al.

For: METHOD FOR CHARGING
A BATTERY

Filed: December 5, 2003

Serial No.: 10/729,593

Examiner: Alexis A. Boateng

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the
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Date: 3/14/2008Signature: AARON C. DEDITCH

**REPLACEMENT APPEAL BRIEF TRANSMITTAL
IN RESPONSE TO A NOTIFICATION OF NON-COMPLIANCE
AND PETITION TO EXTEND UNDER 37 C.F.R. § 1.136(a)**

SIR:

Accompanying this Appeal Brief Transmittal is a Replacement Appeal Brief pursuant to 37 C.F.R. § 41.37 (**in triplicate as a courtesy**) for filing in the above-identified patent application, in response to the Notification of Non-Compliance mailed on January 14, 2008.

This is also a **Petition To Extend** Under 37 C.F.R. § 1.136(a) to extend the one-month response date by one (1) month from the one-month date of February 14, 2008 to **March 14, 2008**. **Please charge the one-month extension fee of \$120.00 to respond to the Notification of Non-Compliance to Deposit Account No. 11-0600.**

(It is noted that the appropriate appeal brief fee of \$500.00, which is the Appeal Brief fee under 37 C.F.R. § 1.17(c) (which is believed to be \$500.00) was already paid when the first Appeal Brief was filed, and therefore should not be charged again).

The Commissioner is also authorized, as necessary and/or appropriate, to charge any additional and appropriate fees, including any further Rule 136(a) extension fees, or credit any overpayment to Deposit Account No. 11-0600. Two duplicate copies of this transmittal are enclosed for these purposes.

Respectfully submitted,

Dated: 3/14/2008By: Gerard A. Messina

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